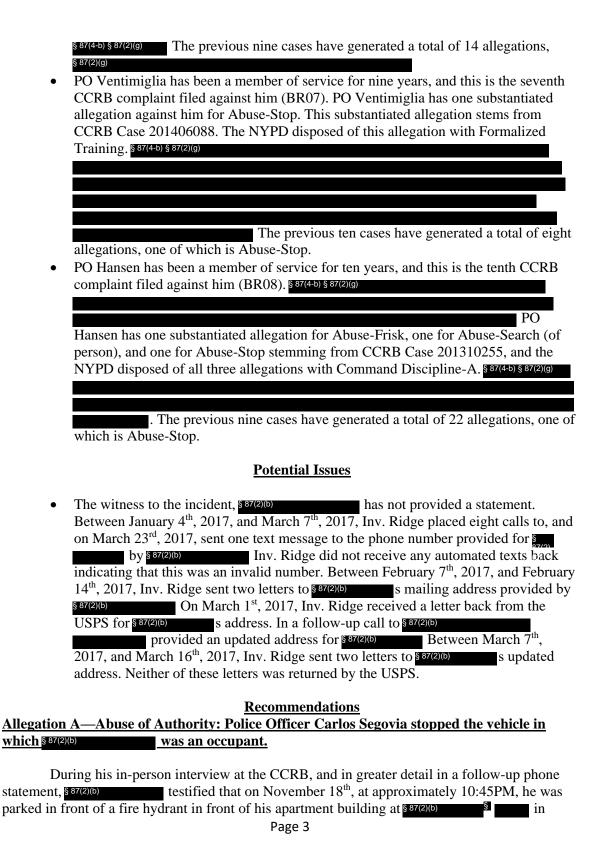
CCRB INVESTIGATIVE RECOMMENDATION

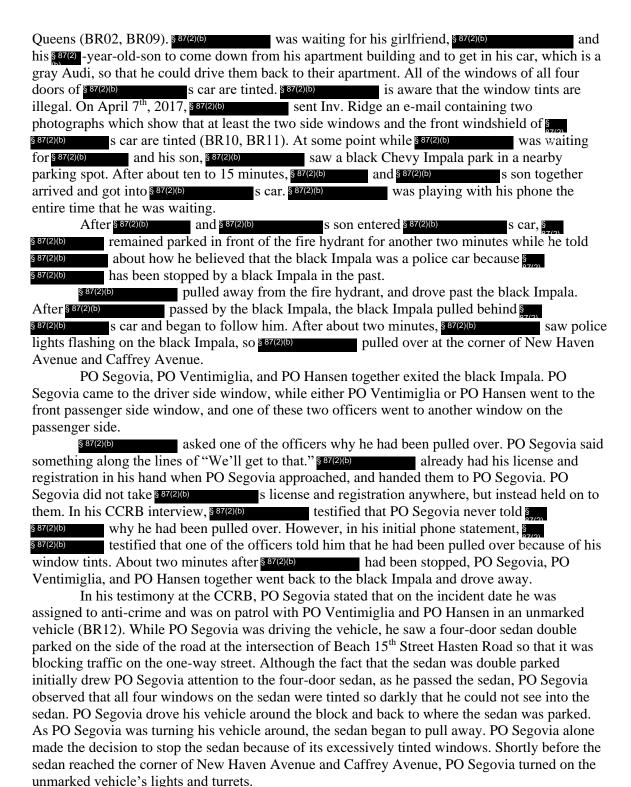
| Investigator: | | Team: | CCRB Case #: | ☐ Fo | rce | V | Discourt. | ☐ U.S. |
|-----------------------------|-----------------------|---|-----------------------|---------------------------------------|-----------|------|-------------|------------|
| Andrew Ridge | | Squad #8 | 201610118 | ☑ Al | ouse | | O.L. | ☐ Injury |
| Incident Date(s) | | Location of Incident: | | Prec | einct: | 18 | Mo. SOL | EO SOL |
| Friday, 11/18/2016 10:45 PM | | New Haven Avenue an | d Caffrey Avenue | 1 | 01 | 5/ | 18/2018 | 5/18/2018 |
| Date/Time CV Reported | | CV Reported At: | How CV Reported | : Da | te/Time l | Rece | ived at CCI | RB |
| Thu, 12/08/2016 4:03 PM | | CCRB | Phone | Th | u, 12/08/ | 2016 | 6 4:03 PM | |
| Complainant/Victim | Type | Home Addre | ess | · · · · · · · · · · · · · · · · · · · | | | | |
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| Witness(es) | | Home Addre | ess | | | | | |
| | | | | | | | | |
| Subject Officer(s) | Shield | TaxID | Command | | | | | |
| 1. POM Carlos Segovia | 26422 | 937513 | GANG QS | | | | | |
| 2. POM Nicholas Ventimiglia | 12331 | 945337 | 101 PCT | | | | | |
| 3. POM John Hansen | 24182 | 943348 | 101 PCT | | | | | |
| Officer(s) | Allegation | on | | | Inves | tiga | tor Recon | nmendation |
| A.POM Carlos Segovia | Abuse: F which § 8 | Police Officer Carlos Seg | govia stopped the ve | hicle in | | | | |
| B.POM Carlos Segovia | | esy: Police Officer Carlo cously toward § 87(2)(b) | os Segovia acted | | | | | |
| C.POM Carlos Segovia | | esy: Police Officer Carlo cously to § 87(2)(b) | os Segovia spoke | | | | | |
| D.POM Carlos Segovia | | Police Officer Carlos Seg umber to § 87(2)(b) | govia refused to prov | vide his | | | | |
| E.POM Nicholas Ventimiglia | | Police Officer Nicholas V his badge number to \$87(2 | | to | | | | |
| F.POM John Hansen | | Police Officer John Hans Imber to § 87(2)(b) | en refused to provid | le his | | | | |
| § 87(4-b) § 87(2)(g) | | | | | | | | |
| C 07(4 b) C 07(2)(a) | | | | | | | | |
| § 87(4-b) § 87(2)(g) | | | | | | | | |
| | | | | | | | | |
| § 87(4-b) § 87(2)(g) | | | | | | | | |
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Summary of Complaint

| On November 18 th , 2016, at approximately 10:50PM, § 87(2)(b) was |
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| driving his grey Audi, in which his girlfriend, \$87(2)(b) and their three year old son |
| were passengers, when he was stopped at the corner of New Haven Avenue and Caffrey Avenue |
| in Queens by Police Officer Carlos Segovia, Police Officer Nicholas Ventimiglia, and Police |
| Officer John Hansen, who at that time were all assigned to the 101 st Precinct, and were driving a |
| black Chevy Impala (Allegation A). After informing § 87(2)(b) that he had been stopped |
| because of his window tints, PO Segovia allegedly threw \$87(2)(b) s license and |
| registration back into §87(2)(b) s car (Allegation B). At this time, PO Segovia also |
| allegedly told \$87(2)(b) to "get the fuck out of here (Allegation C)." When \$7(2) |
| asked all three officers for their badge numbers, all three officers allegedly refused |
| to provide \$87(2)(b) with this information, got back into the black Impala, and drove away |
| (Allegation D, Allegation E, and Allegation F). |
| There is no video footage that captures this incident. |
| On December 19 th , 2016, this case was reassigned from Investigator Prakash to |
| Investigator Ridge. |
| Mediation, Civil and Criminal Histories |
| viculation, Civil and Criminal Historics |
| • This case was suitable for mediation and it was offered to \$87(2)(b) during his |
| initial phone statement and during his in-person interview at the CCRB (BR01, |
| BR02). In both instances, \$87(2)(b) rejected mediation. |
| TH 2777G 0.00 0.1 G |
| • The NYC Office of the Comptroller responded to a request on March 31st, 2017, indicating that no notice of claim has been filed by \$87(2)(5) in regards to this |
| |
| incident (BR 03). |
| [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)] |
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| Civilian and Officer CCRB Histories |
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| • § 87(2)(b) |
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| PO Segoiva has been a member of service for 12 years, and this is the ninth CCRB |
| complaint filed against him (BR06). PO Segovia has one substantiated allegation |
| against him for Abuse-Vehicle search. This substantiated allegation stems from |
| CCRB Case 201113436. The NYPD disposed of this allegation with No Disciplinary |
| Action-DUP. § 87(4-b) § 87(2)(9) |
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| PO Segovia, PO Ventimiglia, and PO Hansen together exited their vehicle and |
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| approached the sedan. PO Segovia approached the driver side window, and saw §87(2)(b) |
| seated in the driver seat, § 87(2)(b) seated in the front passenger seat, and a young child in the |
| back seat. PO Segovia did not recognize \$87(2)(b) or \$87(2)(b) and did not know |
| them or a car of their car's make or model to be known to the precinct. |
| PO Segovia told §87(2)(6) that he was a police officer, and asked for his license, |
| registration, and insurance card. § 87(2)(b) began to look for these requested items. While |
| was doing this, he asked PO Segovia two or three times why he had been pulled |
| over. Each time that §87(2)(b) asked PO Segovia this question, PO Segovia told |
| that he had been pulled over because his windows were excessively tinted. |
| provided all of the requested paperwork. When PO Segovia saw that all |
| of these items were up to date and valid, he decided to warn and admonish [887(2)(6)] |
| saw that \$87(2)(b) and the child were in the car with \$87(2)(b) and did not wish to |
| take up any more of their time. PO Segovia handed \$87(2)(b) his license registration, and |
| insurance card and told him to take care of the window tints. |
| In his testimony at the CCRB, PO Ventimiglia testified that he was sitting in the front |
| passenger seat when PO Segovia stated that a vehicle that they were driving past was double |
| parked and that its windows were tinted (BR13). As they passed the vehicle, PO Ventimiglia also |
| observed these infractions. |
| During the vehicle stop, PO Ventimiglia was situated between the font passenger side |
| window and the back passenger side window. At the beginning of the stop, PO Ventimiglia heard |
| PO Segovia tell §87(2)(b) that he had been stopped specifically because of his window |
| tints. The remainder of PO Ventimiglia's testimony regarding the incident was essentially |
| consistent with that provided by PO Segovia. |
| In his testimony at the CCRB, PO Hansen stated that was seated directly behind PO |
| Ventimiglia in the rear passenger seat on the right side of the vehicle (BR14). From where he was |
| sitting in the unmarked vehicle, after PO Segovia pointed out the vehicle that was double parked |
| on the side of the street, PO Hansen observed that the vehicle was double parked, and that all of |

its windows on the vehicle were tinted so that he could not see into the vehicle. As he was turning the unmarked vehicle around, PO Segovia told PO Hansen and PO Ventimiglia that he was going to stop the vehicle because of its tints. The remainder of PO Hansen's testimony regarding this allegation was essentially consistent with that provided by PO Ventimiglia.

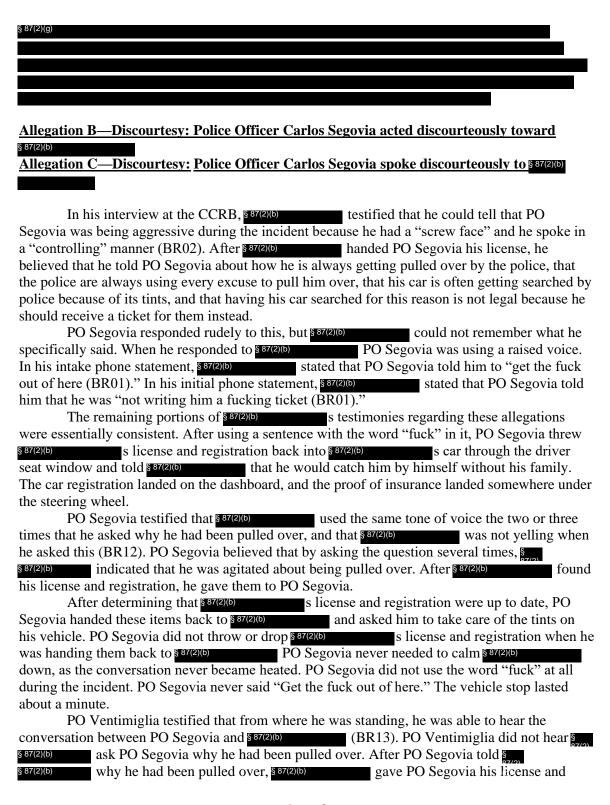
People v. Ingle, 36 N.Y. 2d 413(1975) states that "A single automobile may be stopped for a "routine traffic check" when a police officer reasonably suspects a violation of the Vehicle and Traffic Law (BR15)."

The 2016 Edition of the Vehicle and Traffic Law of the State of New York, Section 37512-a. (b) indicates that "No person shall operate any motor vehicle upon any public highway, road or street ... if it is classified as a station wagon, sedan, hardtop, coupe, hatchback or convertible and any rear side window has a light transmittance of less than seventy percent (BR16)."

According to People v. Ingle, police officers have the legal authority to stop a motor vehicle when they have a reasonable suspicion that Vehicle and Traffic law are being violated.



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registration. The remainder of PO Ventimiglia's testimony regarding the part of the incident involving these allegations is essentially consistent with that provided by PO Segovia.

PO Hansen's testimony regarding these allegations was essentially consistent with that provided by PO Ventimiglia, although PO Hansen added that the stop lasted a minute or two in total (BR14).

Patrol Guide 203-09: Public Contact—General states that members of the service must "be courteous and respectful (BR17)."

| § 87(2)(g) |
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| Allegation D—Abuse of Authority: Police Officer Carlos Segovia refused to provide his |
| badge number to \$87(2)(b) |
| Allegation E—Abuse of Authority: Police Officer Nicholas Ventimiglia refused to provide |
| his badge number to § 87(2)(b) |
| Allegation F—Abuse of Authority: Police Officer John Hansen refused to provide his badge |
| number to \$87(2)(b) |
| |
| When he filed his complaint with the CCRB, \$87(2)(b) did not know the names of the officers (BR01). \$87(2)(b) further testified that after PO Segovia threw his license and registration in his car, \$87(2)(b) asked PO Segovia for his badge number, and that PO |
| Segovia did not respond in any way (BR02). When PO Segovia did not respond to this question, asked PO Ventimiglia and PO Hansen for their badge numbers by shouting it |
| out loudly so that they could hear the question, as they were on the other side of the car. PO |
| Ventimiglia and PO Hansen did nothing to indicate that they had heard §87(2)(6) |
| question, and all three officers returned to the unmarked vehicle after PO Segovia threw |
| s license and registration back into his car. |
| PO Segovia testified that no civilians on scene asked him, PO Ventimiglia, or PO Hansen |
| for their badge numbers at any point (BR12). PO Segovia stated that as soon as he handed |
| s license and registration to \$87(2)(b) and as soon as he warned and |
| admonished § 87(2)(b) PO Segovia began to walk away, and so did not hear if § |
| said anything else to him or exactly how \$87(2)(b) reacted to being told that |
| he had been warned and admonished for having excessively tinted windows. |
| PO Ventimiglia testified that \$87(2)(b) did not ask him, PO Segovia, or PO |
| Hansen for their badge numbers or any identifying information throughout the course of the |
| incident (BR13). |

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| PO Hansen also testified that | 87(2)(b) did not ask h | nim, PO Segovia, or PO |
|--|--------------------------------|-----------------------------|
| Ventimiglia for their badge numbers a incident (BR14). | ny identifying information the | roughout the course of the |
| Patrol Guide 203-09: Public C | Contact—General states that m | nembers of the service must |
| "Courteously and clearly state [their] r | | |
| provide them, to anyone who requests | | • |
| § 87(4-b) § 87(2)(g) | | |
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| Squad Leader | | · | |
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| Reviewer: | | | |
| | Title/Signature | Print | Date |

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